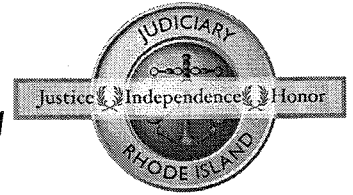


Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 31, Number 2, June 2010

HIGHLIGHTS

FOR THE FIRST HALF OF 2010

APPEALS FILED IN **SUPREME COURT** INCREASED BY 14% OVER LAST YEAR.

SUPERIOR COURT CIVIL CASES PENDING TRIAL DROPPED BY 12% COMPARED TO LAST YEAR.

FAMILY COURT CHILD PROTECTION AND WAYWARD/DELINQUENT DISPOSITIONS EXCEEDED PETITIONS FILED STATEWIDE.

IN **DISTRICT COURT**, SMALL CLAIMS DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

FOR THE 6TH CONSECUTIVE YEAR, PENDING CASES IN THE **WORKERS' COMPENSATION COURT** DECLINED COMPARED TO THE PREVIOUS YEAR.

THE DISPOSITION RATE IN THE **TRAFFIC TRIBUNAL** WAS NEARLY 100% FOR THE FIRST HALF OF THE YEAR.

Supreme Court

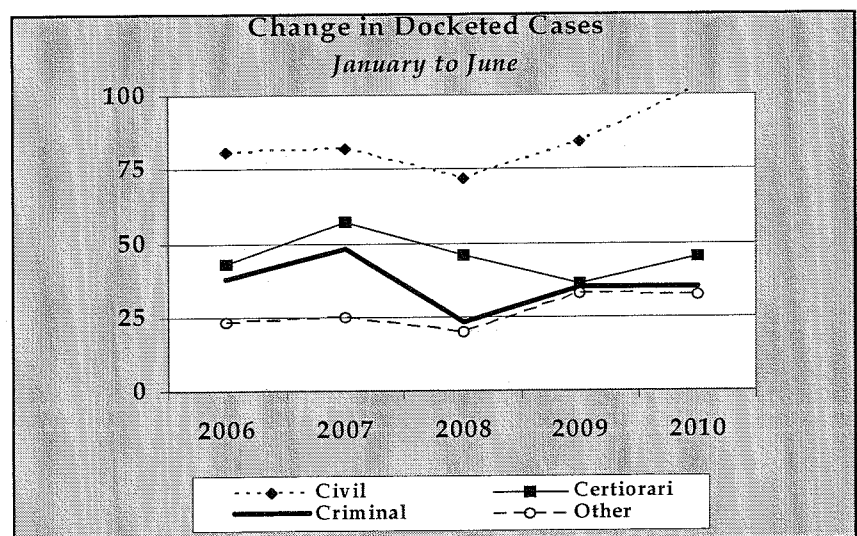
FILINGS

This report covers the first half of calendar year 2010. There were 214 Supreme Court cases docketed through the second quarter which was 26 (14 percent) more than those docketed during the first half of last year. Compared to last year, appeals increased in two categories. Civil appeals increased by 18 (21 percent) for the first half of 2010, while certiorari appeals increased by 9 (25 per-

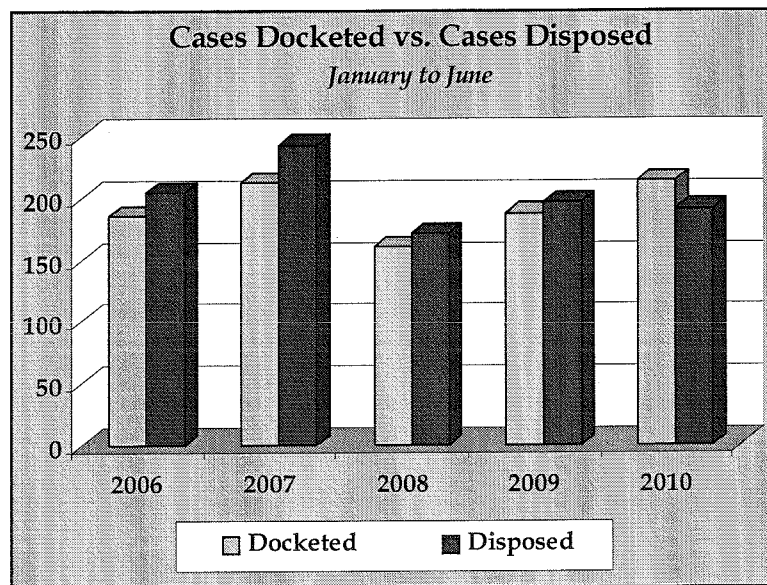
cent). Criminal appeals docketed (35) stayed the same as last year. In addition, miscellaneous petitions dropped by just 1 (3 percent) compared to last year.

DISPOSITIONS

Contrary to the past several years, new appeals exceeded dispositions, resulting in an 89 percent disposition rate for the first half of the year. The total number of appeals disposed through June was 191 (23



fewer than docketed). As explained in more detail below, 29 (15 percent) of the 191 dispositions occurred during some stage of the Appellate Mediation Program (AMP).



Of the 191 dispositions during the first half of the year, 98 (51 percent) of the appeals were disposed before oral argument, 50 (26 percent) were disposed after show cause, and the remaining 43 (23 percent) were disposed after full oral arguments. During the first half of 2010, the Supreme Court published 93 written decisions, including 7 orders and 86 opinions. This is a decrease of 13 (12 percent) from the decisions written last year. Of the 191 dispositions through June, 45 percent were disposed within 180 days, and a total of 47 percent were disposed within 300 days.

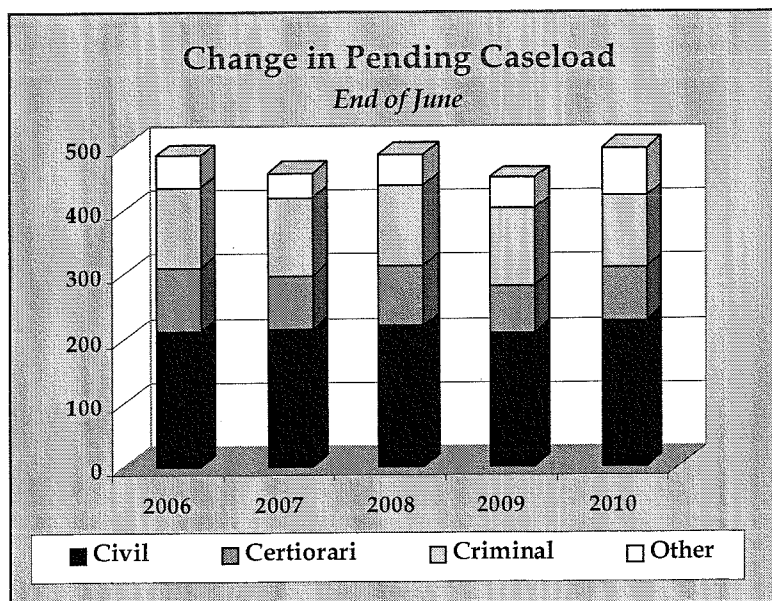
PENDING CASELOAD

As of June 30, 2010, the pending caseload was 498, an increase of 48 (11 percent) compared to last

year (450) at the end of the period. This was the result of an increase in pending appeals in all categories except criminal appeals where they dropped by 7 (6 percent), since last year. Compared to last year, pending civil appeals rose by 19 (9 percent), miscellaneous appeals by 28 (58 percent), and certiorari appeals by 8 (11 percent).

APPELATE MEDIATION

Through the second quarter, there were 95 new cases screened through the AMP. Of the 95 cases screened, 47 were deemed either ineligible or inappropriate. During this time period, 29 cases were disposed at some stage in the mediation process, representing a 60 percent disposition rate. Fourteen of the 29 dispositions were settled at or after mediation, while the remaining 15 were dismissed or withdrawn at an earlier stage in the mediation process. As of June 30, 2010, there were 33 cases active in the program.



Superior Court

FELONY FILINGS

Statewide felony filings in Superior Court increased through the second quarter of 2010 compared to last year. The number filed rose by 229 (8 percent) from 2,779 to 3,008. Felony filings increased in every county, except Kent where they decreased by 57 (15 percent). In Providence/Bristol County, felony filings rose by 115 (6 percent); in Washington County, by 100 (47 percent); and in Newport County, by 71 (47 percent).

FELONY DISPOSITIONS

For the first half of the year, the statewide felony disposition rate was 93 percent. In Providence/Bristol County the disposition rate was 92 percent, in Washington County it was 81 percent, while Newport County had a disposition rate of 94 percent. In Kent County, felony dispositions exceeded filings.

TIME TO DISPOSITION: FELONIES

The Superior Court established a goal of 180 days for the disposition of felonies and achieved this in 58 percent of the cases during the first half of 2010. This goal measures the time from a felony is filed to the case disposition. Newport County disposed 74 percent of their felony

<i>Felony Filings</i>	2006	2007	2008	2009	2010
Providence/Bristol	2,158	2,437	2,122	2,038	2,153
Kent	421	392	365	376	319
Washington	313	256	247	215	315
Newport	184	129	155	150	221
Total	3,076	3,214	2,889	2,779	3,008
<i>Misdemeanor Filings</i>					
Providence/Bristol	91	79	65	25	61
Kent	28	23	24	10	26
Washington	27	25	11	11	14
Newport	10	17	31	28	36
Total	156	144	131	74	137
<i>Civil Filings</i>					
Statewide	4,877	4,660	6,156	5,472	5,715
<i>Civil Cases Added to the Trial Calendar</i>					
Providence/Bristol	682	550	671	614	533
Kent	158	123	156	154	134
Washington	92	83	71	79	90
Newport	59	67	66	56	43
Total	991	823	964	903	800

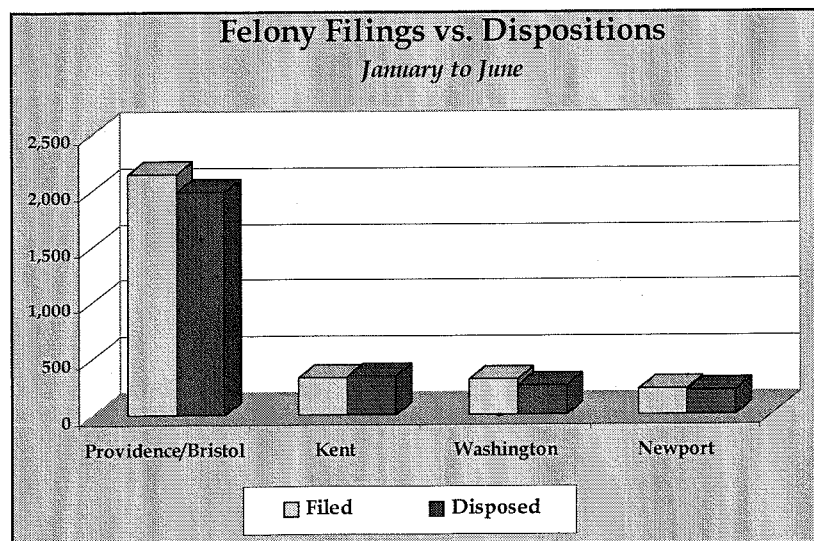
caseload within 180 days. Washington County met the 180 day guideline in 84 percent of the felonies disposed through June, while Kent and Providence/Bristol Counties achieved it in 78 and 44 percent of the cases, respectively.

PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 3,219 at the end of June, increasing by 44 percent (978) from last year. Of the 3,219 felonies pending, 46 percent (1,471) were pending over 180 days from filing. Providence/Bristol County had 1,367 cases over 180 days old; Kent County had 47; Washington County, 26; and Newport County had 31.

MISDEMEANOR FILINGS

Misdemeanor appeals through the second quarter rose by 63 (85 percent), rising from 74 last



year to 137 in 2010. The increase in misdemeanor appeals occurred in all four counties.

MISDEMEANOR DISPOSITIONS

For the first half of the year, misdemeanor dispositions exceeded filings in all counties, except Kent, where they had a 69 percent disposition rate.

TIME TO DISPOSITION:

MISDEMEANORS

The goal for disposing misdemeanor appeals in Superior Court is 90 days, which is measured from filing to disposition. Statewide, Superior Court met this goal in 60 percent of cases, with Kent County having the largest percentage of misdemeanors disposed within 90 days, 73 percent (11 cases). In Washington County, 44 percent (8) of the misdemeanors were disposed within 90 days, while in Newport and Providence/Bristol Counties, it was 58 percent (21) and 12 percent (5), respectively.

PENDING MISDEMEANOR CASELOAD

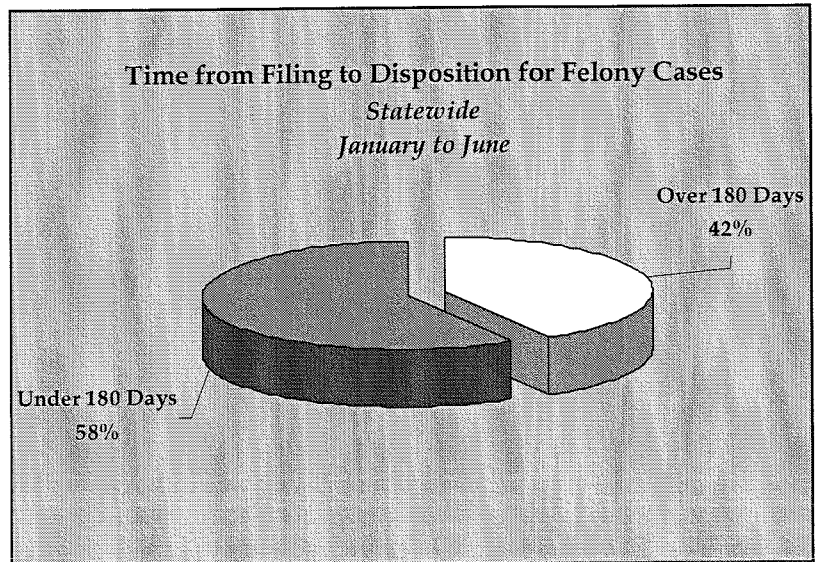
At the end of June, there were only 170 misdemeanor appeals pending statewide, and 79 percent (134) were over 90 days old.

CIVIL FILINGS AND DISPOSITIONS

Civil filings totaled 5,715 for the first half of 2010, increasing by 243 (4 percent) from last year. With respect to civil dispositions through June, the number rose from 3,506 in 2009 to 3,789 in 2010, an increase of 203 (8 percent).

CIVIL CASES ADDED AND DISPOSED: TRIAL CALENDAR

Contrary to the increase in civil filings, the number of cases added to the civil trial calendar statewide through June dropped by 103 (11 percent) compared to the first half of last year. Cases added to the civil trial calendar decreased in all counties, except Washington County which had an increase of 11 (14 percent). Providence/Bristol County dropped by 81 (13 percent), Kent County by 20



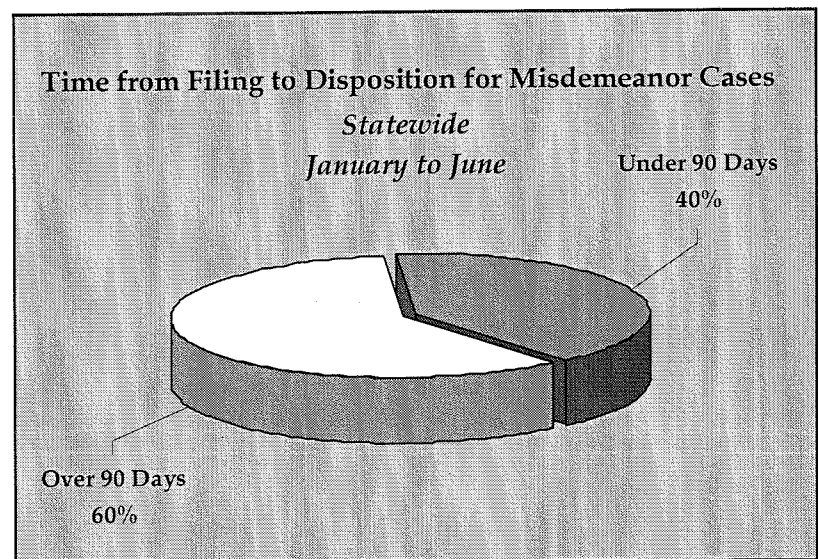
(13 percent), and Newport County decreased by 13 (23 percent), compared to last year.

All four counties disposed more civil cases than were added to the trial calendar in the first half of 2010, resulting in disposition rates that exceeded 100 percent.

PENDING CIVIL CASELOAD:

TRIAL CALENDAR

At the end of the period, the number of civil cases pending trial statewide declined by 256 (12 percent). In Providence/Bristol, Washington, and Newport Counties, the number of cases pending dropped by 164, 23 and 84, respectively. In Kent County, the number of cases pending trial rose by 15.



Family Court

JUVENILE FILINGS

In the first half of 2010, Family Court juvenile filings increased by 2 percent compared to last year, rising by 96 from 4,916 to 5,012. Statewide there was an increase in juvenile petitions filed for every case type. Both termination of parental rights (TPR) petitions and adoption/guardianship rose by just 3 (2 percent and 1 percent, respectively). Furthermore, dependency/neglect/abuse (DNA) petitions and wayward/delinquent petitions increased by less than 1 percent (7 and 14, respectively). Violations rose by 56 (13 percent) and, lastly, the general category of "other" petitions increased by 13 (62 percent).

When reviewing filings by location, compared to a year ago, juvenile filings through the second quarter were both higher and lower depending on the county. In both Providence/Bristol and Newport Counties, juvenile filings increased by 5 percent. Providence/Bristol County filings rose by 174 and those in Newport County increased by 15. Kent County filings dropped by 82 (12 percent), and they were down in Washington County by 11 (3 percent) during the first half of the year.

JUVENILE DISPOSITIONS

In the wayward/delinquent category, which includes

<i>Juvenile Filings by Case Type</i>	2006	2007	2008	2009	2010
Wayward/Delinquent	3,746	3,964	3,792	3,233	3,247
Violations	543	644	552	439	495
Dependency/Neglect/Abuse	1,418	909	892	826	833
Termination of Parental Rights	194	184	208	155	158
Adoption/Guardianship	296	231	247	242	245
Other	45	34	31	21	34
Total	6,242	5,966	5,722	4,916	5,012
<i>Juvenile Filings by County</i>					
Providence/Bristol	4,409	4,320	4,089	3,460	3,634
Kent	933	923	835	714	632
Washington	528	435	488	436	425
Newport	372	288	310	306	321
Total	6,242	5,966	5,722	4,916	5,012
<i>Divorce Filings by County</i>					
Providence/Bristol	1,614	1,573	1,643	1,495	1,594
Kent	391	385	395	409	415
Washington	303	267	269	256	307
Newport	213	190	175	148	176
Total	2,521	2,415	2,482	2,308	2,492
<i>Abuse Filings</i>					
Statewide	1,160	1,132	1,133	1,125	1,159

violations of probation and court orders, dispositions exceeded filings in all counties except Newport, where the disposition rate was 97 percent. In the child protection category, dispositions exceeded petitions filed in all counties except Washington, where the disposition rate was 73 percent.

TIME TO DISPOSITION: JUVENILE CASES

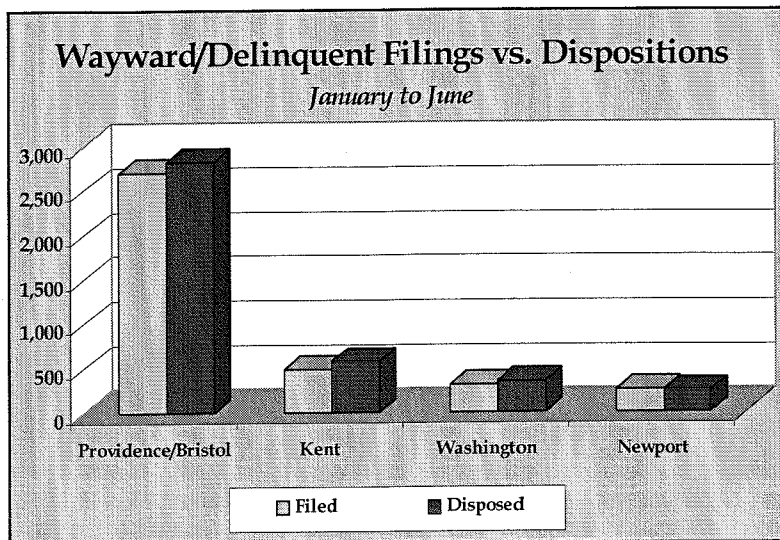
The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. Through June, Providence/Bristol County adjudicated 71 percent of their wayward/delinquent cases within 180 days (again with vio-

lations included), while in Kent County, it was 67 percent. Washington County adjudicated 73 percent of this caseload within 180 day guideline, and in Newport County, it was 53 percent. For wayward/delinquent cases handled informally, the goal is 45 days. Through the end of the period, 79 percent of the cases met this goal; while 96 percent were handled within 90 days.

In child protection cases statewide, Family Court met the 180 day guideline in 77 percent of the cases for TPR and in 48 percent of the cases for DNA matters. In Providence/Bristol County, 51 percent of the DNA cases and 78 percent of the TPR cases were adjudicated within 180 days.

PENDING TPR CASELOAD

A specific area the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of June, 48 cases, representing 32 families, remained on this calendar, and 18 cases representing 13 families are over 180 days old.

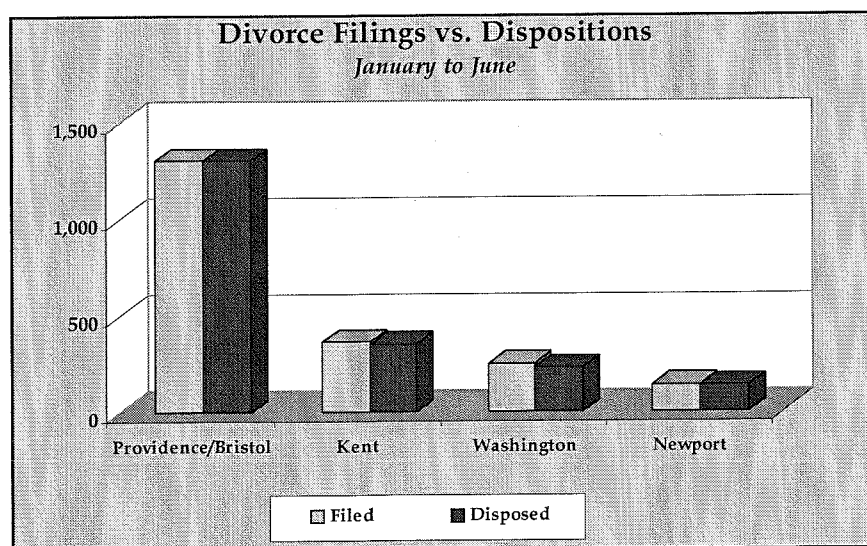


DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, divorce filings were higher than last year in all counties. Statewide the number filed increased 184 (8 percent). The statewide disposition rate for divorce cases was 98 percent. Although divorce filings (1,304) exceeded dispositions (1,302) in Providence/Bristol County, their disposition rate was essentially 100 percent, due to rounding. In Kent County the divorce disposition rate was 96 percent, while in Washington County it was 90 percent, and Newport County was 96 percent.

PENDING DIVORCE CASELOAD

At the end of June, the total number of divorce cases pending over a year was 13 statewide. Providence/Bristol County had 5 divorce cases pending over a year, while Kent County had 6. In Newport County, the total was 2, and in Washington County, there were none.



District Court

MISDEMEANOR FILINGS

In District Court, misdemeanor filings increased through the second quarter compared to last year. The total number filed rose from 13,356 last year to 13,620, an increase of 264 (2 percent). Filings were slightly lower in both Fourth and Sixth Divisions, while Second and Third Divisions had a rise in misdemeanor filings. The Sixth Division experienced a decrease of 222 (2 percent), while the Fourth Division dropped by 43 (3 percent). The Second Division saw the greatest increase with filings rising by 222 (18 percent), and Third Division filings increased by 307 (8 percent).

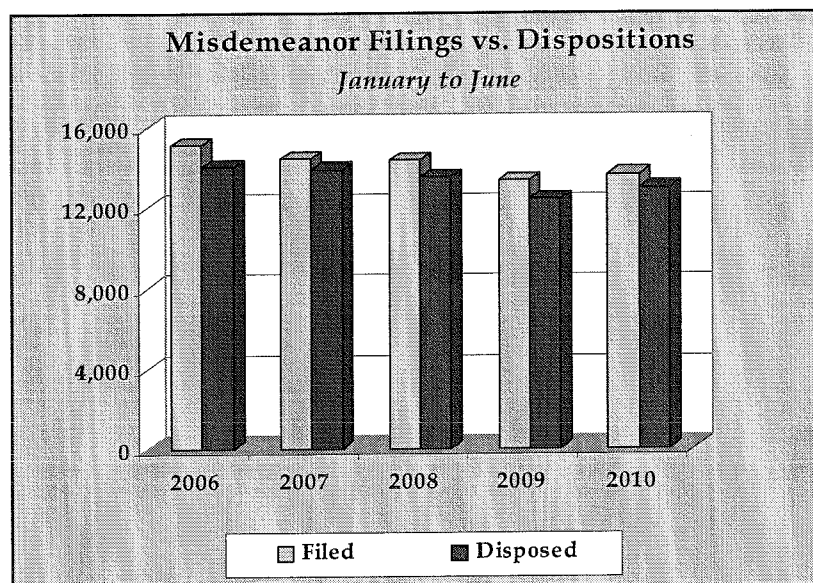
During the first half of 2010, the 13,620 statewide misdemeanor case filings were comprised of 17,875 individual counts. In the Second Division, the 1,423 misdemeanor cases filed represented 1,778 counts, while the Third Division misdemeanor case filings (3,920) resulted in 5,066 counts. Furthermore, the 1,558 misdemeanor cases filed in the Fourth Division included 2,223 counts, and in the Sixth Division, the 6,719 misdemeanor case filings were comprised of 8,801 counts.

MISDEMEANOR DISPOSITIONS

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the statewide disposition rate for misdemeanors was 95 percent through June. The Third Division had a disposition rate of 96 percent, while the Second Division's was 91 percent. In the Sixth Division, the rate was 95 percent, and in the Fourth Division, it was 98 percent.

TIME TO DISPOSITION: MISDEMEANORS

The court's goal is to dispose misdemeanors within 60 days of filing. This measures the time between a case filing and disposition. Statewide, 77 percent of misdemeanors met this goal. Through the second quarter, the Third Division handled 78 percent of its misdemeanor



caseload within 60 days. In the Fourth Division, 74 percent of the misdemeanor cases were disposed within 60 days, while in the Second Division, the percentage was 81. The Sixth Division met the 60 day guideline in 77 percent of its misdemeanor cases.

PENDING MISDEMEANOR CASELOAD

At the end of June, there were a total of 2,860 misdemeanors pending statewide; 68 percent were less than 60 days old, and another 19 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 93; in

Misdemeanor Filings	2006	2007	2008	2009	2010
Second	1,166	1,167	1,269	1,201	1,423
Third	2,654	3,799	3,660	3,613	3,920
Fourth	1,945	1,848	1,927	1,601	1,558
Sixth	9,340	7,641	7,511	6,941	6,719
Total	15,105	14,455	14,367	13,356	13,620
Felony Filings					
Courtwide	3,990	3,798	3,726	3,532	3,670
Civil Filings					
Second	567	640	750	631	660
Third	1,203	2,371	2,928	3,167	3,246
Fourth	628	771	888	749	974
Sixth	7,125	7,200	8,355	6,656	6,880
Total	9,523	10,982	12,921	11,203	11,760
Small Claims					
Second	493	481	451	288	398
Third	1,130	3,025	3,506	5,409	2,200
Fourth	599	663	827	519	466
Sixth	7,317	5,738	6,662	4,551	4,286
Total	9,539	9,907	11,446	10,767	7,350
Abuse Filings					
Courtwide	355	400	479	483	469

the Third Division, it was 398; it was 73 in the Fourth Division and 339 in the Sixth Division. The total number of misdemeanors over 60 days old was 903, a decrease from 2,825 a year ago.

FELONY FILINGS

Statewide, felony filings in the first half of 2010 increased from last year's figures. Felony filings rose from 3,532 to 3,670, representing a 4 percent incline. The number filed rose in all counties except the Fourth Division, where there was a decrease of 5 (2 percent). Felony filings increased in the Second, Third, and Sixth Divisions by 61 (28

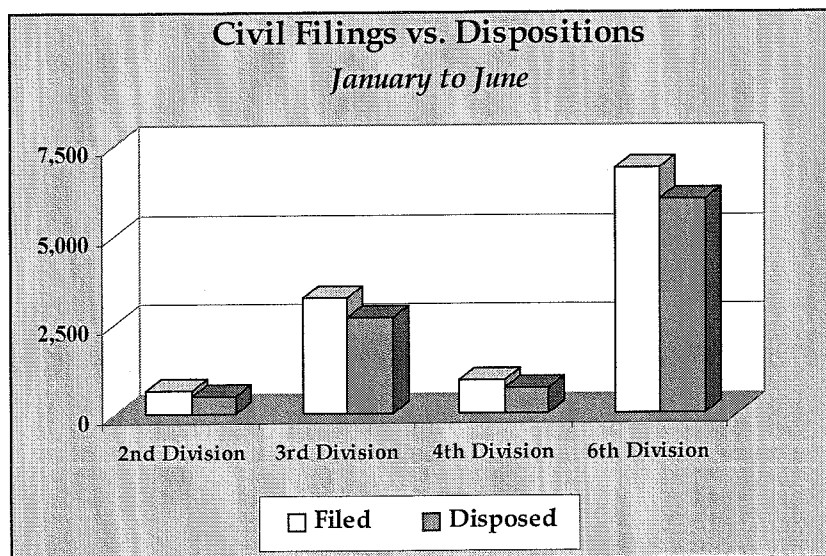
percent), 34 (4 percent), and 48 (2 percent), respectively.

CIVIL FILINGS

On the civil side, statewide filings through June increased by 557 (5 percent) from 11,203 in the first half of 2009 to 11,760 for the comparable time period in 2010, with an increase seen in all divisions. Abuse filings dropped by 14, representing a 3 percent decrease over last year. In addition, small claims decreased compared to a year ago. Overall, the number of statewide small claims filed declined by 3,417 (32 percent), decreasing in all divisions except the Second.

CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 85 percent, while small claims dispositions exceed filings for the first half of the year.



Workers' Compensation Court

PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court during the first half of 2010 decreased by 189 from last year. A year ago there were 3,917 petitions filed through June, and this year there were 3,728, a decline of 5 percent.

Based on type of case, some petitions decreased compared to a year ago, while others increased. Employee petitions increased by 8 (1 percent), employer petitions by 7 (1 percent), lump sum settlements rose by 23 (6 percent), and petitions to enforce saw a small increase of 1 case (less than 1 percent). On the contrary, miscellaneous petitions decreased by 25 (22 percent), petitions for medical by 19 (18 percent), and original petitions by 184 (15 percent).

PETITIONS DISPOSED

Through the second quarter, dispositions exceeded filings. The number disposed (3,914) was 186 greater than the number filed. Cases disposed at the pretrial stage accounted for 74 percent of the total, a slightly lower

percentage than last year (75 percent).

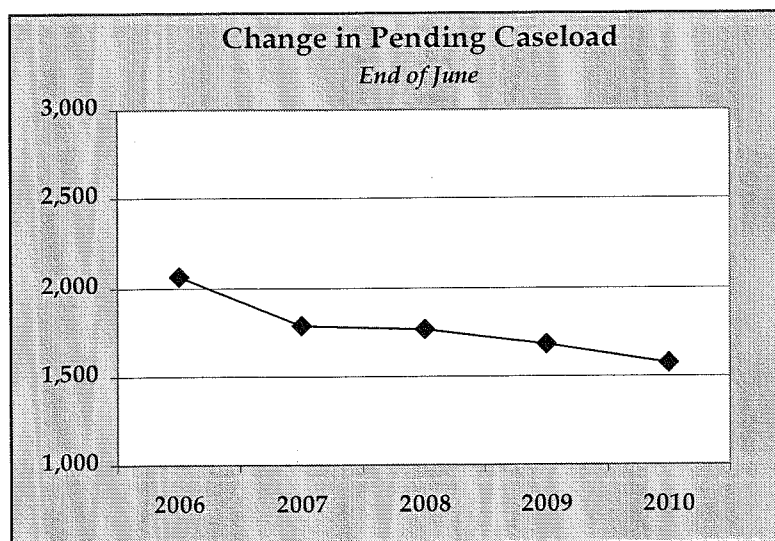
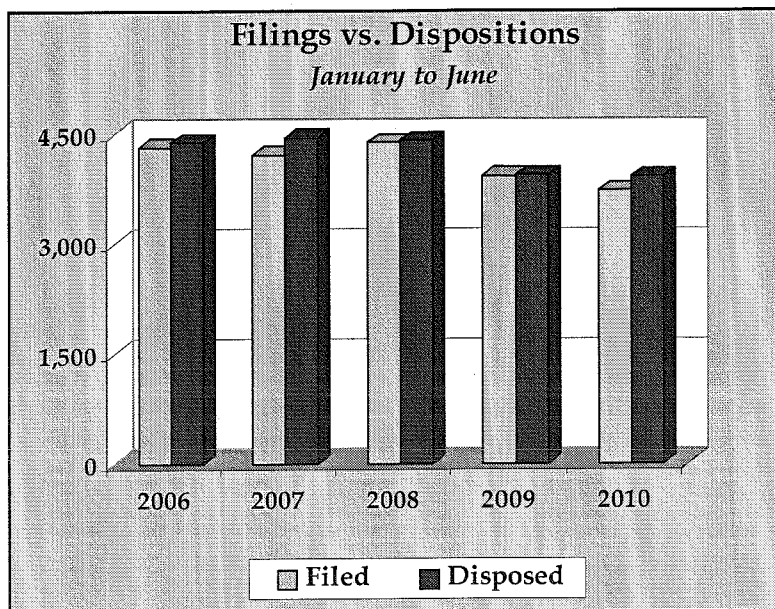
TIME TO DISPOSITION

The Workers' Compensation Court has established a goal of 90 days for cases to be disposed at pretrial and 360 days for those cases that go to trial. This measures the time from filing to disposition of a petition. The percentage of cases disposed at pretrial within 90 days of filing (89 percent) was slightly lower than a year ago (90 percent).

At trial, 87 percent of the cases were handled within 360 days, down slightly from last year's 89 percent.

PENDING CASELOAD

Compared to last year, the total number of petitions pending dropped from 1,679 to 1,571, a reduction of 108 (6 percent). Similarly, the number pending trial dropped from 720 to 657, a decrease of 63 (9 percent). In addition, the petitions pending trial over 270 days increased by almost 8 percent from 212 to 228, representing 35 percent of the total number pending trial.



Rhode Island Traffic Tribunal

SUMMONSES ISSUED

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased during the first half of 2010, dropping by less than 5 percent from 46,671 last year to 44,371. RITT summonses accounted for 59 percent of the total summonses issued this period.

Contrary with the overall decrease in RITT summonses, there was an increase in both breathalyzer refusals and insurance violations. Compared to last year, breathalyzer refusals rose by 55 (almost 7 percent) to 878, and insurance violations increased by 437 (11 percent) to 4,597.

SUMMONSES DISPOSED

RITT had nearly a 100 percent disposition rate during the first half of 2010, with filings slightly exceeding dispositions by 218. Payments by mail represented 33 percent of total dispositions and decreased by 2,308 (14

<i>Filings</i>	2006	2007	2008	2009	2010
Total Summonses Issued	123,307	115,349	105,777	79,544	75,656
RITT Summonses Issued	61,582	55,452	49,557	46,671	44,371
Total Violations	74,518	67,501	59,740	56,293	54,355
<i>RITT Dispositions</i>					
Court Hearings	38,301	36,627	32,279	31,617	29,764
Payments by Mail	24,879	21,503	18,406	16,697	14,389
Total Disposed	63,180	58,130	50,685	48,314	44,153

percent) over last year's figure. The remaining 67 percent were disposed by court hearings.

TIME TO DISPOSITION

The RITT has adopted 60 days as the goal for disposing summonses, which measures the time from the initial appearance to disposition. In the first half of the year, 96 percent of all dispositions met this guideline. Furthermore, 83 percent of breathalyzer refusals and 94 percent of insurance violations were disposed within the 60 day timeframe, both improved from last year's figures.

As in the past, the majority of dispositions took place before or at the arraignment stage, although the results were different for certain categories. Based on statistics relating to the number of violations (separate offenses), 82 percent of all violations disposed occurred at or before arraignment. Also, 83 percent of insurance violations and 31 percent of breathalyzer refusal matters were disposed at or before arraignment.

PENDING CASELOAD

The total number of summonses pending at the end of June increased minimally by less than 1 percent (21), rising from 2,108 last year to 2,129. Of this number, 1,429 (67 percent) were pending over 60 days.

